FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLICATIONS NO. 3556, 3551 & 3552 OF 2006
IN
WRIT PETITION NO. 2831 OF 1996

(Madhukar Gangaram Kshire
.Vs.
Bapurao Balaji Chikhalkar and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. S.V.Purohit, Advocate for applicants.
Mr.Mehadia, Advocate for respondent No.1.

CORAM : A. B. CHAUDHARI, J.
DATED : 27th June, 2007.

CIVIL APPLICATION NO. 3556 OF 2006

This application has been filed by the legal heirs of petitioner for condonation of delay in filing application for bringing them on record in place of deceased petitioner. Having heard Mr. Purohit, learned counsel for applicants and Mr. Mehadia for respondent No. 1, who opposes the application, I find that there are reasons to condone the delay in filing the application for bringing legal heirs of deceased petitioner on record.

C.A.No. 3551/06 is, therefore, allowed. Delay is condoned.

CIVIL APPLICATION NO. 3551 OF 2006

This application has been filed by the legal heirs of deceased petitioner, who are applicants before me for setting aside abatement. The application is opposed by Mr.Mehadia, learned counsel for respondent No.1.

On perusing the facts stated in the application, I am satisfied that there is good reason for setting aside the abatement.

C.A. No. 3551 of 2006 is, therefore, allowed.

CIVIL APPLICATION NO. 3552 OF 2006

This application has been filed for bringing legal heirs of deceased petitioner on record. The petitioner has expired and his legal heirs desire to be substituted in his place.

C.A. No. 3552/2006 is allowed. Applicants to take appropriate steps. Office to proceed accordingly.

JUDGE

PDiwale